

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRADLEY J. MCLACHLAN and ALEX D.) GRAHAM, individually and on behalf of all) others similarly situated,) Plaintiff,) v.) THE BOARD OF TRUSTEES OF THE) ELEVATOR CONSTRUCTORS) ANNUITY AND 401(K) RETIREMENT) PLAN and JOHN DOES 1-) 20.) Defendants.)	CIVIL ACTION NO.: 2:22-cv-04115
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JOINT MOTION TO EXTEND STAY OF DEADLINES PENDING MEDIATION

Plaintiffs, Bradley J. McLachlan and Alex D. Graham, (“Plaintiffs”) and Defendant, The Board of Trustees of the Elevator Constructors Annuity and 401(k) Retirement Plan, (“Defendant,” and collectively with Plaintiffs, the “Parties”) jointly move this Court to extend the present stay of all deadlines until after the Parties are able to mediate. As good cause for this motion, the Parties state as follows:

1. On July 26, 2023, the Court referred this matter to Magistrate Judge Straw to schedule a settlement conference. After discussion, the Parties agreed that, for settlement discussions to be productive, both Plaintiffs and Defendants first needed to engage in initial fact discovery.
2. Accordingly, the Parties proposed to complete their initial document productions, to confer further regarding the possibility of settlement discussions prior to scheduling any depositions, and to provide the Court with an update regarding the potential for settlement discussions.

3. The parties have now completed initial discovery productions, and have been meeting and conferring regarding outstanding issues related thereto.

4. On November 1, 2023, Plaintiffs filed a motion for class certification. (ECF 49.)

5. The parties subsequently moved the Court to stay all deadlines (ECF 52). The Court granted this stay until January 16, 2024. (ECF 53).

6. Subsequent to the entry of this stay, the parties have met and conferred in good faith to select a mediator and schedule a mediation at a mutually agreeable date and time. The parties have scheduled mediation with Jed Melnick on April 18, 2024, the first available date for all Parties and the mediator.

7. As such, the Parties respectfully request that this Court extend the stay of all deadlines until after the Parties have completed their mediation.

8. The Parties propose that they will file a joint status report within ten (10) business days of the completion of mediation, to advise the Court regarding the status of the Parties' mediation efforts, and to propose new deadlines, if necessary.

9. The Parties do not present this motion to delay resolution of the matter, and no Party will be prejudiced by the relief sought. In fact, granting this Motion will further the interests of judicial economy.

WHEREFORE, the Parties respectfully request that the Court extend the stay of all case deadlines until after the Parties have completed their mediation.

Dated: January 16, 2024

/s/ Mark K. Gyandoh

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Samuel Schwartz-Fenwick, an attorney, do hereby certify that I have caused a true and correct copy of the foregoing JOINT MOTION TO STAY DEADLINES PENDING MEDIATION to be filed via the Court's ECF filing system on this 16th day of January, 2024, and it is available for viewing and downloading there. The foregoing was also served upon counsel of record by the Court's ECF system upon filing.

/s Samuel Schwartz-Fenwick
Samuel Schwartz-Fenwick